

EXTENSIONS OF REMARKS

THE CUBAN MISSILE CRISIS

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Tuesday, January 14, 1969

Mr. CHURCH. Mr. President, several weeks ago, there appeared in the magazine *Commonweal* an article commenting upon the book "13 Days," authored by our late colleague, Senator Robert F. Kennedy, concerning the 1962 Cuban missile crisis—a crisis in which he played a central role as adviser and confidant of his brother, the late President Kennedy.

Written by former State Department official Roger Hilsman, the *Commonweal* article deals with an analysis of the book from an "insiders" point of view, for Mr. Hilsman has an active part in the Kennedy administration at the time of the 1962 Cuban confrontation.

I recommend Mr. Hilsman's article to all Senators as a worthy contribution to our better understanding of one of the most crucial events in the history of the Nation. I ask that it be printed in the *Extensions of Remarks of the CONGRESSIONAL RECORD*.

There being no objection, the article was ordered to be printed in the *RECORD*, as follows:

R. F. K. ON CUBA: AN INSIDER'S ANALYSIS

(By Roger Hilsman)

Robert Kennedy's *Thirteen Days* is unique—an account of the world's first nuclear crisis by a man who shared presidential responsibility. For of all of the men around John F. Kennedy in those fateful days, only Robert F. Kennedy, his brother, could feel the personal sense that John Kennedy did of responsibility for all of mankind and for generations yet unborn. It is the closest thing we will ever have to the reflections of John F. Kennedy himself.

The awesome drama of those thirteen days, the tension, the clashing wills of patriotic, intelligent, but overwrought men of deeply differing convictions is all here. This manuscript was a first-draft, and Robert Kennedy had intended to polish and edit it. But, in a way, the first-draft roughness, contributes to the drama of the account, conveying something of the striving for deliberateness in the midst of overwhelming pressure for speed.

Some commentators have said that there is nothing in Robert Kennedy's account that had not already appeared. But as one who was himself involved in those events as the Director of the State Department's Bureau of Intelligence and Research, I believe that judgment is unfair. There are no "now-it-can-be-told" state secrets revealed, but there is still much that is new.

First, of course, is the account of how John Kennedy felt, how he saw the crisis, and both his and Robert Kennedy's joint reflections on the lessons to be learned. This is new. John Kennedy was determined to avoid recrimination or exultation in his dealing with the Soviet Union and to take the opportunity to move to achieve agreements, such as the limited nuclear test ban agreement, that would help to end the Cold War, and he refrained from confiding his feelings about the crisis to anyone but his brother.

Other details are also new. Robert Kennedy gives a much fuller account than has ever before appeared in print of the long,

four-part cable that Chairman Khrushchev sent the afternoon of Friday, Oct. 26. This cable marked the turning point in the Soviet attitude and was the basis of the agreement that resolved the crisis. Kennedy also documents what had only been deduced before about the course events would probably have taken if the Soviets had not backed down—the United States would have been forced to take out the Soviet anti-aircraft SAM sites, and, then, if the Soviets still persisted, to launch an invasion.

Many other details are also new, but one is particularly significant—the account of Robert Kennedy's meeting with Ambassador Dobrynin, the details of which supply a missing link that has puzzled historians. There has long been speculation that something happened Saturday Oct. 27, that finally convinced the Soviets just how determined the Americans were and caused them to recognize the full gravity of the situation. Kennedy's account of his meeting with Dobrynin provides the explanation. For Robert Kennedy was able to make it clear how events must inevitably proceed, how short time was before events took command, and yet to do so without threats or posturing.

The final section of *Thirteen Days* is devoted to reflections on the crisis and on the lessons learned. Here, Robert Kennedy is speaking to future Presidents and other officials who will sit around that same table making other fateful decisions. And what he has to say is worthy of their attention.

It is at this point, however, that a criticism must be made. Once during the crisis, a member of the Joint Chiefs of Staff said that he believed in a preventive attack on the Soviet Union. Others advocated attacks on Cuba without warning. "They seemed always to assume," Kennedy writes, "that the Russians and the Cubans would not respond or if they did, that a war was in our national interest." There is no question that these remarks were made, but it is also clear that the deliberated positions taken by the Joint Chiefs of Staff were more responsible and took greater account of the proper limitations of military advice. The inability to look beyond the limited military field illustrated by these remarks appalled Robert Kennedy and led him to the sharp judgment given in the manuscript. But had he lived to go over it once more, he might well have made some changes. For he quotes John Kennedy in a different vein: "When we talked about this later, he said we had to remember that they were trained to fight and to wage war—that was their life. Perhaps we would feel even more concerned if they were always opposed to using arms or military means—for if they would not be willing, who would be?"

One final observation must be made. Because Robert Kennedy is the author of this account, his own role is played down. But the truth of the matter is that Robert Kennedy's role was central, second only to that of his brother. And on two occasions his contribution was the higher. On Friday night, Oct. 19, support in the ExCom for blockading Cuba as the first step began to fall apart, with more and more members shifting to the idea of opening with a bombing strike against the missile sites. It was Robert Kennedy who eloquently, even passionately, argued against an "American Pearl Harbor"—and who won the day.

The second occasion was on Saturday, Oct. 27, the blackest day of the crisis. The night before Khrushchev's long cable seemed to open the door to a resolution. This was reinforced by a very specific set of proposals delivered informally by the representative of Soviet intelligence in their Washington embassy to an American newsmen. Then on Saturday, the Soviets reneged in a message

broadcast from Moscow, and a U-2 was shot down over Cuba, killing the pilot, Major Anderson. There seemed no alternative to bombing the missile sites, and following this with an invasion.

But it was Robert Kennedy who conceived a brilliant diplomatic maneuver—later dubbed the "Trollope ploy," after the recurrent scene in Anthony Trollope's novels in which the girl interprets a squeeze of her hand as a proposal of marriage. His suggestion was to deal with Friday's package of signals—Khrushchev's cable and the approach through the Soviet intelligence agent—as if the reneging message of Saturday simply did not exist. Picking out of the various signals those items which the United States found acceptable, Robert Kennedy drafted a message to Khrushchev. At the President's direction, he then had his crucial conversation with Dobrynin, as described above. And the crisis was resolved.

There is no doubt of the debt that America—and all of humankind—owes to Robert F. Kennedy.

NEW HIGHWAY DEPARTMENT REGULATIONS MAY SLOW DOWN CONSTRUCTION

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. ZWACH. Mr. Speaker, during this past month, I was besieged by calls from county commissioners and State organizations and officials regarding the proposed change in Federal or interstate highway location regulations.

Upon checking with these and other authorities, I then submitted a statement to the Department urging them to extend the hearing or to delay such hearings in order that all segments of administrative agencies dealing with highway location and construction become thoroughly aware of the drastic changes being proposed.

I also received a copy of the statement made at the Department of Transportation hearing by the president of the Minnesota Good Roads Association which I believe point up the ramifications of these broad proposals. The president, Mr. Frank Marzitelli, was formerly deputy highway commissioner in Minnesota, and is able to speak authoritatively on this subject. I commend the reading and study of his statement which follows:

Mr. Chairman, my name is Frank D. Marzitelli, and I have ventured here from St. Paul, Minnesota. Formerly I served as Deputy Commissioner of the Minnesota Department of Highways. Currently I am Executive Vice President of the Port Authority of the City of St. Paul. I also am President of Minnesota Good Roads, Incorporated, and I primarily appear before you in the latter capacity.

Minnesota Good Roads, Incorporated is an organization composed of interested and concerned citizens who urgently believe that Minnesota's industrial and economic development hinges upon a growing transportation system that can effectively and expeditiously move goods and people. For 75 years our organization has been a leader in efforts to improve Minnesota's highway transporta-

tion in municipal, County and State governmental areas. Our organization has consistently and actively supported the Minnesota Department of Highways in its policy of dual public hearings and early public involvement. The record proves conclusively that Minnesota Good Roads, Incorporated, far from questioning or condemning public involvement in the location of highways, aggressively encourages said involvement.

That being established, I now wish to state that our organization and, in view of my special experience in highway matters, I, particularly, are unalterably opposed to the addition of the proposed new Part 3 to Title 23, Code of Federal Regulations. Unalterably, Sir!

We gravely question the constitutionality of the proposed super-imposed regulations, and are shockingly upset by the likely social, political, economic, and public safety consequences if these ill-advised regulations are forced upon the citizens and taxpayers of the United States of America.

I am not a constitutional lawyer, nor yet a lawyer at all, but my training and experience enable me to detect the ominous significance of proposed Section 3.1 applicability:

"A. This part applies to all Federal Aid Highway projects."

Gentlemen, that is the meat of it: meat for the bottomless appetites of Federal bureaucrats.

These proposed regulations are a gross invasion of the reserved and inherent powers of the several States of the Union. They would usurp a primary responsibility of the State Highway Commissioners by placing final authority for virtually all highway location and construction in the hands of the Federal Highway Administrator. They give him control of intrastate as well as interstate construction, and this must not be!

Governor Volpe of Massachusetts, Secretary-designate of the Department of Transportation, puts it in a nutshell. The proposed rule would "remove the power of location selection from the States and place it in the hands of Federal authorities who are removed from the many intricacies of each project."

Gentlemen, surely you are even more aware than I that these proposed regulations probably violate the Constitution of the United States and surely violate the intent of Congress. I beg you to abandon this reckless, headstrong course of action.

Should you, in fact, activate these proposed regulations, I foresee chaos.

I speak from peculiar and painful experience.

Minnesota is unusual in that it is one of a handful of States with a law absolutely requiring that any highway construction contract entered into within or immediately adjacent to a municipality must be consented to by the governing body of that municipality. We now know that Minnesota motorists have paid a high price indeed for the absolute right of a municipality to veto any non-interstate highway plan. The price has been paid in such expensive coin as delay, disruption, inconvenience, bickering and, all too often, death.

By injecting these new rules promulgated by the Federal Highway Administration into our already restrictive situation, there will be many roads, streets, and highways, now desperately needed, that will never be built because of lack of agreement between different levels of government. When I inform you that Saturday, December 14th, 1968, Minnesota, for the first time in its entire history, recorded its 1,000th highway traffic death within a calendar year, you can understand the depth of my concern.

We need more roads, better roads . . . and we need them now! We cannot endure additional bureaucratic delays!

It has wisely been said that: "Justice delayed is justice denied". Highway construction delayed is more than highway con-

struction denied; it is transportation denied; it is social justice denied; it is economy denied; it is public safety denied!

Yet the appellate provisions of 3.17 virtually seek out objections and delays by permitting but one disgruntled person to halt any construction project. As you well know, the filing of such an appeal with the Federal Highway Administration would automatically stop further progress until the appeal is settled. To make matters worse: the proposed regulations impose no time limit on the Federal Highway Administrator within which to make his decision on an appeal. This, gentlemen, is indeed a mockery of justice!

Under the seductive disguise of affording "effective public participation in the consideration of highway location and design proposals", the proposed new regulations would effectively cripple State, County and local highway construction while robbing the several States of their constitutional heritage.

As Edmund Burke remarked in 1784, "The people never give up their liberties but under some delusion". Your proposed regulations, gentlemen, are the great delusion of this decade.

Again, I beg you to withdraw these proposed rules and regulations.

THE CASTLE VALLEY JOB CORPS CIVILIAN CONSERVATION CENTER NEAR PRICE, UTAH

HON. FRANK E. MOSS
OF UTAH

IN THE SENATE OF THE UNITED STATES
Tuesday, January 14, 1969

Mr. MOSS. Mr. President, the Castle Valley Job Corps Civilian Conservation Center near Price, Utah, operated for the Office of Economic Opportunity by the Bureau of Land Management, is now over 3 years old. The Salt Lake City Tribune has aptly stated:

An unwanted stranger in town has an uphill fight to establish a good reputation.

I am pleased to note today, over 3 years later, that the people of our State have welcomed the Job Corpsmen into the community to the point where the city council of Price adopted a resolution praising the Castle Valley Center corpsmen and staff and recommending its continuance. I concur with the statement in the editorial "The Image Is Mended" to the effect that—

They are increasingly being welcomed as a credit to the Job Corps and the home folks alike.

I ask unanimous consent that a copy of the editorial and the resolution be inserted in the Extensions of Remarks in the CONGRESSIONAL RECORD.

There being no objection, the editorial and resolution were ordered to be printed in the RECORD, as follows:

[From the Salt Lake City (Utah) Tribune, Sept. 21, 1968]

AN IMAGE IS MENDED

An unwanted stranger in town has an uphill fight to establish a good reputation. This has been the experience of more than one Job Corps center throughout the country.

Many communities initially resented having a center dropped in their midst. Sometimes incidents involving corpsmen and local citizens or police added to the resentment. But as center administrators

and personnel became more experienced in guiding their youthful charges into projects benefitting the host communities ugly incidents declined and resentment has many times turned to appreciation.

Not long ago the mayor and City Council of Price adopted a resolution praising corpsmen at nearby Castle Valley Civilian Conservation Center, operated by the Bureau of Land Management, for their good conduct and many material contributions to the city. Similar commendation for other centers has come from various civic and government bodies.

This change in community attitude is testimony of what can be accomplished by mutual respect and willingness to serve judgment. Job Corpsmen come to town under many disadvantages. That they are increasingly being welcomed is a credit to the Job Corps and the home folks alike.

RESOLUTION OF PRICE, UTAH, MUNICIPAL CORP.

Whereas, the Job Corps located south of Price, Utah, has been of substantial economic benefit to the people of this community and the citizens of Price, Utah, in that much useful work has been done by the Job Corps of lasting benefit to this area and the economy of the County has been advanced thereby, and

Whereas, the Job Corp has provided needed schooling and training for the members, thus improving their education and ability to later to be of help to the welfare of our society and to earn their own way and raise their living standards, and

Whereas, the members of the Job Corps on the whole have been law-abiding and have shown respect for the laws and the rights of the people of this community, and

Whereas, they have assisted in doing useful and necessary work for the benefit of this community when their assistance has been requested,

Therefore, be it Resolved that the Mayor and City Council of Price, hereby commend the Job Corps and its Officers and members for the excellent work it is doing for the betterment and improvement of this area and the advancement and development of its members and the moral and spiritual uplift it is providing for its members in addition to all of the economic improvement which is derived from the Job Corps, and

Be it further resolved that we recommend the continuance of this program.

MURRAY MATHIS,

Mayor.

HAROLD O. PATERICK,
WALTER T. AXELGARD,
JAMES FAUSETT,
GUIDO RACHIELE,
MACK BUDGE,

Councilmen.

SIMPLE JUSTICE FOR CONSCIENTIOUS FEDERAL EMPLOYEES

HON. HENRY B. GONZALEZ
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 14, 1969

Mr. GONZALEZ. Mr. Speaker, I am today reintroducing a bill which gives simple justice to the many conscientious Federal employees who use their sick leave only when they are ill. At present, the sick leave accumulated by the majority of civil servants who retire without disability saves their Government a considerable sum, but does not benefit them at all. My bill would permit these employees the option of receiving full credit for each day of accumulated sick leave in computing their retirement benefits,

or for receiving a lump payment equal to one-fourth the cash value of their sick leave.

There is a double rationale for my bill. On the one hand, it is designed to improve the efficiency of the Federal service by reducing the unusual use of sick leave by employees whose retirement is imminent. A recent study found that employees retiring from Government service use an average of 40 days of sick leave during their last year of employment, which contrasts sharply with the Government-wide average of 8.3 days of sick leave a year. The impulse to use sick leave before retirement is understandable, for it is lost completely—unless an employee retires for disability.

The disability retiree draws full salary for each day of sick leave remaining to him. Thus, on the other hand, my bill is designed to give the vast majority of employees not retiring on disability some measure of equity with those retiring on disability.

I realize that in the 90th Congress, the Post Office and Civil Service Committee of the House decided against the retirement option of a lump sum for sick leave, in reporting H.R. 17682. This was due in part to the persistent opposition to it by the Civil Service Commission, the Bureau of the Budget, and the Post Office Department. These agencies held it would be an expensive change in the sick leave principle.

However, the committee did recommend that accumulated sick leave be fully credited for purposes of computing an employee's retirement annuity. For example, an employee who retires with 30 years of service could easily accumulate 1 year of sick leave if he were reasonably healthy. He would therefore have his retirement annuity computed as if he had performed 31 years of service. This additional service, however, could not be counted in determining average pay or in attaining eligibility for retirement.

This section of H.R. 17682 was designed to cut down on the heavy use of sick leave by retiring employees. The savings to the Government are obvious, for persons on sick leave are drawing pay, and must be counted as part of the agencies' personnel ceilings. His work is either undone or a temporary employee must be hired and trained.

On this point, Civil Service Commission Chairman John Macy told the committee he thought the estimated \$22 million annual cost of the sick leave credit section "would be offset significantly by a lesser use of sick leave on an annual basis by employees. If we were able to reduce the average use from 8.3 days a year to, say, 7 days a year, that would represent a substantial savings." He went on to say later:

If you got everybody to work one more day that would otherwise be spent on sick leave, 90 million dollars would be a reasonable estimate.

I was impressed with the full consideration the committee gave to the unused sick leave question, and with the fact that several ranking members on the committee had initially cosponsored the same bill I did to provide not only annuity credit for sick leave but the option

of reimbursement as well. Therefore, I supported H.R. 17282 in its successful House passage, and was disappointed the Senate did not act upon our bill.

Although I supported the committee version last year, and would do so again if it were again reported out, I have not abandoned my belief that the principle of equity for nondisability retirees justifies a lump-sum option.

It was voiced in last year's floor debate that the accumulation of sick leave by an employee was "a type of insurance against loss of income during periods of illness." But it is insurance in a limited sense only. An employee who saves most of the 13 days of sick leave a year due him is indeed building up a reserve for that day when he may have an extended illness. If he remains healthy, he loses the sick leave. But if he is part of that one-third of Government employees who retire on disability he receives pay for his days of sick leave, and benefits twice because all time spent in a pay status is credited toward his retirement annuities. Thus to the disabled retiree, accumulated sick leave is money in the bank, on which he has paid no premiums. It is in this special sense not insurance at all, but a donation from his Government.

The civil servant who conscientiously accumulates his sick leave sees one-third of his fellow employees retiring on disability and receiving monetary benefit for their sick leave, and he sees other employees who are similarly retiring on a nondisability status using up all the sick leave they can in the last years. This man deserves to be rewarded for part of the amount his restraint is saving his Government. He should certainly be afforded retirement credit for accumulated sick leave, and I am convinced he also deserves the option of a lump-sum payment upon retirement, equal to one-fourth the cash value of his sick leave.

THE GROWTH OF SHOW BUSINESS UNIONS

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Tuesday, January 14, 1969

Mr. JAVITS. Mr. President, many people in America still think of the trade union movement as composed primarily of blue-collar workers. This is becoming less and less true as the American work force changes. However, it was never completely true. One of the most fascinating chapters in American trade union history has been the growth and development of the trade unions representing the musicians, actors, artists, and others involved in show business. The history of these unions has been chronicled in the September 1968, issue of American Labor magazine. The article makes extremely interesting reading for anyone interested in the history of either the stage or this particular chapter to the American labor movement. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article

was ordered to be printed in the RECORD, as follows:

THERE'S NO BUSINESS LIKE—AND NO HISTORY QUITE LIKE THE HISTORY OF THE VARIOUS LABOR UNIONS IN SHOW BUSINESS

Lightnin' struck on Broadway at 8:20 on the evening of August 7, 1919.

That play, the first to close in the first actors' strike ever to hit Broadway starred Frank Bacon, a middleaged actor who was making his bid for the big time with it—maybe his last.

After more than twenty years on the road and in stock companies, Bacon was playing a lead part on the Great White Way for the first time, in a play that he had written and helped produce.

Lightnin' represented everything that he had hoped and worked for. But when the actors struck, Frank Bacon was the first to go, leading his cast out of the theatre, past the paying customers.

His decision was made all the more difficult because with the opening of *Lightnin'*, of which he was also part owner, Bacon had become a theatre manager, and it was the managers that the actors were striking against.

But he counted himself an actor first, and an owner second. "We'll stick with our own kind," he said. "I may be sold down the river for this, but if I am, Bacon will bring a higher price than ever before."

That long-ago strike on Broadway, called by the Actors' Equity Association, was the culmination of a long battle to obtain recognition of an organization of actors, empowered to have a voice on wages and working conditions in the theatre.

ACTORS ARE ACTORS

Organizing actors was probably one of the most difficult tasks ever faced by the labor movement. Time and again, any group of performers who banded together to protect their rights were wrecked both by outside pressure from employers and internal dissension among the performers themselves. For actors, almost by definition, are starstruck.

To them, "The show must go on" is not an empty phrase. The great ones believe it with their hearts and souls. They are dedicated to their profession almost as lovers are dedicated to each other. And like lovers, they can be blind to any flaws in the object of their affections.

Even when a group did organize, staying organized didn't last long. Actors' groups had always been easy prey to the divisive tactics of theatre managers and producers.

There have always been, and probably always will be, more actors and would-be actors than there are theatre jobs. With twenty, or a hundred, eager and compliant applicants for every opening available—kids who will suffer any deprivation for their chance at the big time—an employer didn't worry too much if a few of his cast started to complain about unfair conditions.

Usually, just the threat of replacing one with any of the many other people waiting his turn was enough to bring any disgruntled actor into line.

The relatively few performers who were important to a producer had no such problems of course. They could get fair contracts and generous salaries. The plight of the struggling actor no longer involved them, and they could not always be counted on to stand up for the little guy.

THE WHITE RATS

A few actors groups did manage to form, even in the face of such difficulties. One of the most successful of these was the White Rats, a group composed largely of vaudevillians.

The White Rats were organized in 1900 and received a charter from the American Federation of Labor in 1910. They flourished briefly in those early years, wrung a few

concessions from managers and attracted several thousand members, including some of the big-names any performers organization must have.

Digby Bell, Weber and Fields, Eddie Foy and Maurice Barrymore all joined the Rats and attempted to pit themselves against the Vaudeville Protective Managers' Association, which was guided by producer E. F. Albee.

But Albee declared war on the Rats, and won. In 1916 he instituted a lock-out of all White Rats members and made it stick. Members who retained their cards had to do so secretly, and were in constant danger of being denounced and bounced from their bookings. Just as Equity's star was rising, the White Rats seemed destined to go the way of all other performers' groups.

STILL ANOTHER FAILURE

Equity, in fact, was founded on the rubble of still another unsuccessful attempt to organize. In 1896, an association known as the Actors' Society had been formed as both a social and business group. One of its stated purposes was to "discriminate against irresponsible managers and help its members secure contracts with only responsible managers."

But the Actors' Society did nothing. Weak and ineffective, it was ignored by the producers. Finally, on a wintry day in 1912, 100 of its members met for the final meeting, and that was that.

It had served no one, accomplished nothing, but its final meeting was probably its most significant. For at that last gathering, some members still stubbornly clung to the idea that an actors' organization could survive. Though they'd failed, they thought they could profit from their mistakes, and succeeded with a second try.

Howard Kyle, chairman of the meeting, appointed a committee to plan for an actors' organization concerned only with the actors' business interests.

NO BED OF ROSES

Facing the new organization would be a set of abuses that had grown steadily worse from year to year, as the theatre managers who were enjoying a profitable boom, became less and less dedicated to the theatre, and more and more dedicated to making money.

The Albees, the Shuberts and the Ziegfelds were businessmen first, show people second. When hiring performers, these businessmen had their lawyers draw up contracts, which would be to their own best interests, naturally. Most performers who needed a job had little recourse but to sign.

Then there was the problem of stranding . . . a much too common practice of the times. Artists of that era were required to pay their own way to out-of-town performances. If the show closed out-of-town, they were often left in whatever backwater stop they happened to be appearing in.

When box-office receipts were bad, they often weren't paid for their performances as well. They were hung up, with no money, and no transportation back to New York, where their only hope of reemployment lay.

SALARIES—IF PAID

The salary situation, under any circumstances, was chancy. Managers were casual about remunerations, often simply disappeared on payday. The check, if it came at all, might be days or even weeks late.

When performers were paid, they were paid only for the time actually spent in front of an audience. Rehearsal time was free—and unlimited. One prominent star of the day, John Goldsworthy who was under contract to the Shuberts, once rehearsed for fifty-seven weeks, and played for twenty-two. Although "employed" for a year-and-a-half, he was paid for less than six months.

The situation was even more desperate if the producer chose a bad script and a play

was unsuccessful. The actor might rehearse for weeks and months, for free, and give a good performance only to see his play close in a few days. In that case, he'd worked for nothing.

THE "SATISFACTION" CLAUSE

Finally, there was the so-called "satisfaction" clause. Under this clause, the actor agreed to play his parts to the satisfaction of the manager. Reviews, box-office receipts, meant nothing. The manager was the sole judge of a satisfactory performance.

If he decided for any reason to make a change—perhaps he saw another performer who would work for less money—he could, and did, simply dismiss his contracted performer under this clause.

These were some of the abuses Equity set out to correct. By May of 1913, the fledgling organization had drafted a constitution, set up guidelines for a standard contract that would protect actors from unethical managers, and felt strong enough to call its first meeting in the Elks Hall at the Pabst Grand Circle Hotel on New York's West 59th Street.

There were 112 actors at the meeting, including some of the biggest stars of the day. Lionel Hoggan, William Holden, Sr., and De Wolf Hopper were among the personalities who voted to accept Equity's Constitution and elected its first officers.

THE CURTAIN RISES

Its first president was Francis Wilson, and on its first Council was Grant Stewart. These two men were to make the cause of the actors' association one of their life-long crusades.

It is well they were so dedicated, for they were about to launch a long, frustrating battle that would last for nearly six years before even their most basic aims—recognition and a standard Equity contract—would be achieved.

It would be a battle made all the more difficult because it would be carried out, for a while, under a facade of good fellowship and courtesy. The producers and managers were almost patronizing about Equity at first. They'd seen so many actors' organizations rise and fall that this new one caused little more than smiles.

For months, and then for years, they seemed always on the verge of accepting Equity and its contract. They would sign if only this or that minor flaw could be ironed out. When it was, another flaw needed ironing out and so on and on and on.

But though it could not get a contract, Equity was steadily growing stronger during those years of negotiations. Its memberships rose to include some of the biggest names in show business. Ed Wynn, Pearl White, Ethel Barrymore, Grant Mills, Marie Dressler, Otto Kruger, Douglas Fairbanks and Eddie Foy were among the stars who pledged their support in those early days.

ACT ONE—SCENE ONE

In small ways, Equity began to make itself felt. By 1919 it was managing to wring out a better contract here, a special payment for an extra matinee there. From time to time, a manager even found himself forced to pay for rehearsal time or to reimburse an actress for her costumes—miniature victories in minor frays. But like a mosquito buzzing around the back of a head, the Actors Equity Association was becoming an annoyance to the managers.

Also, it was contemplating a step that was anathema; affiliation with the American Federation of Labor. The musicians and stage hands of the theatre were already organized and affiliated with the AFL. The managers' experience with these groups was enough to convince them that they didn't want their actors in that combine as well.

Equity's projected affiliation with organized labor had long been a sensitive area, delayed by two factors. One was the reluctance of an influential group of actors to

identify themselves with the laboring classes, a feeling that they were somehow above them. The second factor was a far more practical one—the White Rats.

The Rats had almost no members and virtually no power, but they did have an International Charter from the AFL. If Equity wanted to join with organized labor, the Rats maintained it would have to enter as a branch of their International.

This, Equity was not willing to do. Not only did the WR's represent a group with which the actors felt no common cause—vaudevillians and variety acts—but it was also floundering badly.

It had made many powerful enemies and Equity felt barely able to handle its own problems. If it was forced to take on the problems of the older organization besides, its members were convinced that both groups would go down the drain.

ACT ONE—SCENE TWO

The anti-union feeling was settled at a turbulent and emotional Equity meeting in May of 1919, shortly after the producers had flatly refused to recognize Equity or sign its contract.

Twenty-five hundred members gathered to hear the arguments for and against affiliation. Blanche Bates, a prominent actress and persuasive speaker, gained the floor and turned her years of experience in moving an audience to moving her present audience away from affiliation.

"I cannot stand here," Miss Bates said in an impassioned speech, "as a woman who has put twenty-five years into this work . . . who has been true to the traditions of it all, and see us putting ourselves in the position of disgruntled laborers. We are not laborers and what we do cannot be capitalized. What we give cannot be weighed and measured. Don't let us do something that we will regret doing."

But when Miss Bates pounded the table and said, "We are not laborers," the audience shouted back "We are! We are!"

Other speakers pointed out that with only a few concessions, the managers could take the actors out of the position of disgruntled laborers, and all could continue in the grand traditions of the theatre of which Miss Bates was so proud.

In the end, the members voted to leave all authority in the hands of the Equity Council. Since the Council had already declared itself on the side of affiliation, this was tantamount to a vote to join the AFL.

FIRST ACT ENDING

The White Rats situation was more difficult to solve. In previous meetings, led by Harry Mountford and James Fitzpatrick, the WR's had fought fiercely to hang on to their charter as their only hope of saving their organization.

But in their hopeless condition they were more willing to talk compromise. The final solutions worked out for Equity's admission into the AFL proved to reduce not only the current difficulties, but turned out to be tailor-made to handle the admission later, of other highly individualistic performing arts unions as well.

As it was worked out, neither Equity nor the White Rats would hold the International Charter. The White Rats surrendered it and the AFL issued a new one to cover the entire performing arts field.

Thus, a new International was created, to be known as the Associated Actors and Artistes of America, or more simply, the Four A's.

Within the Four A's, each of the performing arts unions were, and are, relatively autonomous and, in theory at least, on an equal footing. This structure still exists 50 years later and has proved ideal for the independent-spirited performers it represents.